

Form 02 - SUITABLE AGE

AETNA CENTRAL JUDICIAL SERVICES

**MATTHEW FLAMM ESQ**

**ATTN:**

U.S. DISTRICT SOUTHERN COURT NEW YORK COUNTY

STEVEN SOTO, BY HIS MOTHER AND  
NATURAL GUARDIAN, ALTAGRACIA MEJIA.  
- against -

plaintiff

THE CITY OF NEW YORK, ETAL

defendant

Index No. 08CV6624 (RJH DFE

Date Filed .....

Office No.

Court Date: / /

STATE OF NEW YORK, COUNTY OF NEW YORK :SS:  
**JULIUS THOMPSON** being duly sworn, deposes and says; I am over 18 years of age,  
not a party to this action, and reside in the State of New York. That on the  
15th day of August, 2008 09:45 AM at  
%34 PRECINCT, 4295 BROADWAY  
NEW YORK, NY 10033 (FRONT DESK)

I served the SUMMONS AND COMPLAINT  
upon FABIO NUNEZ

the DEFENDANT therein named by delivering and leaving a true copy or copies  
of the aforementioned documents with

**SGT. "JOHN" EILER JR. CO-WORKER WHO REFUSED FIRST NAME**  
a person of suitable age and discretion.

Deponent describes the person served as aforesaid to the best of deponent's ability  
at the time and circumstances of the service as follows:

SEX: MALE COLOR: WHITE HAIR: BLK/BALD AGE: 45 HEIGHT: 5:8 WEIGHT: 150  
OTHER IDENTIFYING FEATURES:

On 08/18/2008 I deposited in the United States mail a true copy of the aforementioned  
documents properly enclosed and sealed in a post-paid wrapper addressed to the said  
DEFENDANT at the above address. That address being  
actual place of employment of the DEFENDANT.

Copy mailed 1st class mail marked personal & confidential not indicating on the outside  
thereof, by return address or otherwise that said notice is from an attorney or concerns  
action against the person to be served.

That at the time of service as aforesaid, I asked person spoken to whether DEFENDANT  
was in the military service of the State of New York or United States and received a negative  
reply. Upon information and belief based upon the conversation and observation as aforesaid  
I aver that the DEFENDANT is not in the military service, and is not dependent on anyone  
in the military service of the State of New York or the United States as that term is defined  
in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

Sworn to before me this  
18th day of August, 2008i

SAMSON NEWMAN  
Notary Public, State of New York  
No.01NE-4783767  
Qualified in NEW YORK COUNTY  
Commission Expires 11/03/2009

JULIUS THOMPSON 822528  
AETNA CENTRAL JUDICIAL SERVICES  
225 BROADWAY, SUITE 1802  
NEW YORK, NY, 10007  
Reference No: 3MF4144179